

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:)
)
AXXIS EQUIPMENT LEASING, L.P.) CASE NO. 09-40048-R
) CHAPTER 7
DEBTOR)
)

**TRUSTEE'S APPLICATION TO SELL PROPERTY OF THE ESTATE
FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES,
WITH LIENS TO FOLLOW PROCEEDS AT PUBLIC AUCTION
AND NOTICE TO CREDITORS**

TO DEBTOR, ITS CREDITORS, AND ALL PARTIES IN INTEREST:

NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN OBJECTION OR REQUEST FOR HEARING IS FILED WITH THE U. S. BANKRUPTCY CLERK, 660 N. CENTRAL EXPRESSWAY, WELLS FARGO BANK BUILDING, SUITE 300, PLANO, TX 75074, AND A COPY SERVED UPON THE TRUSTEE AT THE ADDRESS IN THE LOWER RIGHT HAND CORNER OF THIS MOTION WITHIN 20 DAYS FROM THE DATE OF FILING OF THIS MOTION, UNLESS THE COURT, SUA SPONTE, OR UPON TIMELY APPLICATION OF A PARTY IN INTEREST SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION OR REQUEST FOR HEARING. IF NO OBJECTION OR REQUEST FOR HEARING IS TIMELY FILED, THE MOTION SHALL BE DEEMED TO BE UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE MOTION. THE COURT RESERVES THE RIGHT TO SET ANY MATTER FOR HEARING.

Comes now Linda Payne, Chapter 7 Trustee (the "Trustee") and files this her Application to Sell Property of the Estate free and clear of all liens, claims and encumbrances, with liens to follow proceeds as granted by 11 U.S.C. Sec.363(b)(1) and (f) and Rules 6004 and 2002 of the bankruptcy rules and would show the court as follows:

I. JURISDICTION AND VENUE

1. Pursuant to 28 U.S.C. §§ 1334 and 157, the Court has jurisdiction to hear this Motion. Pursuant to 28 U.S.C. §157(b)(2)(A) and (N), the Motion presents a core proceeding.
2. Venue is proper in this Court pursuant to 28 U.S.C. §1409. Authority to grant the relief requested is provided by 11 U.S.C. §363.

II. BACKGROUND

3. This case was filed as a Chapter 7 on January 5, 2009 and Trustee was appointed,

thereafter qualified and has continued to serve in that capacity.

4. Applicant has filed application to Employ Auctioneer, Rosen Systems , Inc.
5. Applicant proposes to sell the following property:

2002 International Truck

6. Terms of the sale are as follows:

1. Terms are all cash to the highest bidder.
2. Property is being sold "as is", "where is", without representation concerning the title or condition of the property.
3. The trustee makes no warranties of any kind.
4. Liens, if any, will follow proceeds. (The trustee is not aware of any liens).
5. The items will be sold at an **ONLINE AUCTION** by Rosen Systems, Inc. Auctioneer can be reached at 972.248.2266 for the date of auction and inspection of property.

7. Auctioneer will request the Court to reimburse its reasonable expenses and the auctioneer will be paid through a 10% buyer's premium.

WHEREFORE PREMISES CONSIDERED, the Trustee prays that the Court enter an order approving the trustee's Application to Sell Property of the Estate Free and Clear of all Liens, Claims and Encumbrances, at an Online Auction, with liens to follow proceeds.

Dated: April 29, 2009

/s/ Linda S. Payne
Linda S. Payne
Chapter 7 Bankruptcy Trustee
12770 Coit Road, Suite 541
Dallas, TX 75251
972-628-3695 Telephone
972-628-3687 Facsimile
paynetrustee@moorefirm.com

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served upon the parties in interest on the attached matrix by electronic transmission or by mailing a copy of the same to them via first class mail on April 29, 2009.

/s/ Linda S. Payne _____
LINDA S. PAYNE